

REMARKS

Claims 1-14 are currently pending in the present application. Applicant appreciates the Examiner's allowance of claims 1-7. By the instant amendment, applicant amends independent claims 8 and 11 to more particularly recite the present invention. No new matter is added by the instant amendment.

Applicant respectfully requests acknowledgement that the drawings filed May 29, 2001, are acceptable.

Submitted herewith is a substitute form PTO-1449, as originally filed on February 13, 2003, as requested by the Examiner.

Claims 1-14 are submitted to the Examiner for further consideration on the merits.

A. Summary

In the outstanding Office action, the Examiner rejected claims 8 and 10 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,395,738 to Brandes et al. ("the Brandes et al. reference"); rejected claims 9 and 11-14 under 35 U.S.C. § 103(a) as unpatentable over the Brandes reference in view of U.S. Patent 3,745,358 to Firtz et al. ("the Firtz et al. reference"); and allowed claims 1-7.

B. Asserted Anticipation Rejection Under 35 U.S.C. § 102(b)

In the outstanding Office action, the Examiner rejected claims 8 and 10 under 35 U.S.C. § 102(b) as anticipated by the Brandes et al. reference. By the instant amendment, applicant amends independent claim 8 to more particularly recite the subject matter of the present invention.

Specifically, by the instant amendment, applicant amends independent claim 8 to recite, "forming a plate type emitter of either a pyroelectric or ferroelectric material."

Applicant respectfully submits that the Brandes et al. reference fails to disclose forming a plate type emitter of either a pyroelectric or ferroelectric material for use in a method of providing a one-to-one projection of emission lithography, as presently recited in independent claim 8.

Accordingly, it is respectfully submitted that claim 8 is patentably distinct from the cited prior art reference. Further, it is respectfully submitted that claim 10, which depends from claim 8, is similarly allowable as depending from an allowable claim. Applicant respectfully requests reconsideration and withdrawal of each of the rejections.

C. Asserted Obviousness Rejection Under 35 U.S.C. § 103(a)

In the outstanding Office action, the Examiner rejected claims 9 and 11-14 under 35 U.S.C. § 103(a) as unpatentable over the Brandes reference in view of the Firtz et al. reference. By the instant amendment, applicant amends independent claim 11 to more particularly recite the subject matter of the present invention.

Specifically, by the instant amendment, applicant amends independent claim 11 to recite, "forming a plate type emitter of either a pyroelectric or ferroelectric material." Applicant respectfully submits that the combination of the Brandes et al. reference and the Firtz et al. reference fails to disclose forming a plate type emitter of either a pyroelectric or ferroelectric material for use in a method of providing an x-to-one projection of emission lithography, as presently recited in independent claim 11.

Accordingly, it is respectfully submitted that claim 11 is patentably distinct from the combination of cited prior art references. Further, it is respectfully submitted that claims 12-14, which depend from claim 11, are similarly allowable as depending from an allowable claim. Moreover, it is respectfully submitted that claim 9, which depends from claim 8, is

allowable as depending from an allowable claim, as discussed above. Applicant respectfully requests reconsideration and withdrawal of each of the rejections.

D. Allowed Claims

In the outstanding Office Action, the Examiner allowed claims 1-7. Applicant appreciates the Examiner's allowance of claims 1-7.

E. Conclusion

Since none of the prior art cited, alone or in combination, either anticipates or renders obvious claims 1-14, it is submitted that these claims are in condition for allowance and notice to that effect is respectfully requested.

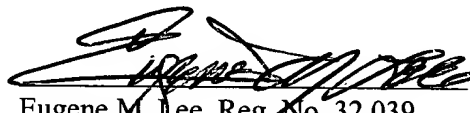
Finally, if the Examiner believes that additional discussion or information may advance prosecution of the instant application, the Examiner is requested to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is respectfully requested, and an early and favorable action upon all the claims is hereby requested.

Respectfully submitted,

LEE & STERBA, P.C.

Date: October 8, 2003

  
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**PETITION and**  
**DEPOSIT ACCOUNT CHARGE AUTHORIZATION**

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.

